

ACTION HELD NEAR

ON JAWORSKI POST

OCT 22 1974

Sources Say Ruth, Aide of Prosecutor, Will Be Named to Fill Job Tomorrow
NYTimes

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Special to The New York Times

WASHINGTON, Oct. 21— Henry S. Ruth, the deputy special Watergate Prosecutor, is expected to be named this week to succeed Leon Jaworski, according to a well-placed Administration official. Mr. Jaworski's resignation as special prosecutor takes effect Friday.

Other sources, in and out of the Government, confirmed that Mr. Ruth, who has served as the special prosecution force's No. 2 man since June of 1973, has been the only candidate for the prosecutor's post given serious consideration since Mr. Jaworski tendered his resignation on Oct. 12.

Philip W. Buchen, the White House counsel, is reported to have spoken today with Attorney General William B. Saxbe, whose responsibility it is to fill the special prosecutor's post, about the selection of a replacement for Mr. Jaworski. One source said that he expected a formal announcement of Mr. Ruth's appointment to be made on Wednesday, "unless a hitch develops."

Ron Nessen, the White House

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Naming of Ruth as Prosecutor Is Reported Set for Tomorrow

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press secretary, said on Oct. 12 that Mr. Saxbe's choice for Mr. Jaworski's replacement would be made only after thorough consultation with President Ford "and with the President's approval because of the importance of the position."

Mr. Buchen, who one source said had been given responsibility by Mr. Ford for helping in the selection of a new special prosecutor, had reportedly not discussed the results of his conversation with Mr. Saxbe today with President Ford, who is visiting Mexico.

While the final decision on the appointment of Mr. Ruth remain to be made by Mr. Ford, the President had reportedly not communicated to Mr. Buchen any displeasure at the prospect of his appointment.

In his letter of resignation sent to Mr. Saxbe on Oct. 12, Mr. Jaworski suggested that consideration in choosing his successor be given to Mr. Ruth, who he said "has a familiarity with all matters still under investigation as well as those still to be tried."

Although Mr. Jaworski said in the letter that "the bulk of the work" entrusted to his office had been completed, the prosecutor indicated in an interview with The Associated Press, released today, that he expects more indictments in Watergate-related areas would be sought by his office before its investigations were concluded.

One White House aide said today that if the name of anyone other than Mr. Ruth had been under consideration for the special prosecutor's job, "it hasn't come before me."

"It isn't the most popular job in town," he added.

Another source said that, as far as he knew, the only alternative to Mr. Ruth's appointment that had been considered by Mr. Buchen's office was the "assimilation" of the special prosecution force's work by the Justice Department.

But, he said, that option had been rejected as inappropriate while the Watergate cover-up trial was under way.

Mr. Ruth, 43 years old, was named deputy special prosecutor by Archibald Cox, Mr. Jaworski's predecessor. If named, he will probably be the last to head the Watergate prosecution force, which is expected to end its work sometime next spring.

Among the investigation investigations still under way are those into the settlement of the Government's antitrust suit against the International Telephone and Telegraph Corporation and illegal campaign contributions from dairy cooperatives and other corporations.

Mr. Jaworski's assistants are also looking into the erasure of an 18½-minute segment of one of the White House tape recordings, President Nixon's underpayment of Federal income taxes while in office, and the possible misuse of the Federal Bureau of Investigation and the Internal Revenue Service under his Administration.

Another inquiry is being conducted into the receipt by Charles G. Rebozo, Mr. Nixon's friend and business associate, of \$100,000 payment from Howard Hughes, the billionaire industrialist. Lawyers in Mr. Jaworski's office are investigating the possibility that part of the money was spent for Mr. Nixon's personal benefit. But any indictments, are said to be several weeks, and even months, away.